

(Proposed) Local Rule 2016-2

Compensation of Debtor's Counsel in Chapter 13 Case: Short Form of Application

(a) *Content of Application.* If counsel for the debtor in a chapter 13 case will receive a total of \$1800 or less for all services rendered therein, an application required by F.R.B.P. 2016(a) shall include a description of services rendered and expenses incurred, and the total time expended.

(b) *Form of Application.* An application for compensation or reimbursement of expenses that conforms substantially to L.B.F. 2016-2, satisfies the requirements of subdivision (a).

SOURCE

Subdivision (a), which applies solely to applications of counsel for the debtor in chapter 13 cases, is designed to simplify the fee applications therein. The services performed must be described but time records need not accompany the application. This amendment is mandated by Lamie v. United States Trustee, 124 S.Ct. 1023 (2004), holding that 11 U.S.C. §330(a)(1) does not authorize compensation awards to debtors' attorneys from estate funds, unless they are employed by the chapter 7 trustee as authorized by 11 U.S.C. §327. Therefore, all applications by professionals, other than an attorney representing a chapter 13 debtor, shall be governed by F.R.B.P. 2016(a) and L.B.R. 2016-1, 2016-3 and L.B.F. 2016-3.

**(Proposed) L.B.F. 2016-2 Application of Counsel for Debtor
in Chapter 13 Case for Compensation or Reimbursement of Expenses**

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:

Chapter 13

Debtor

Bankr. No.

APPLICATION FOR
COMPENSATION AND REIMBURSEMENT OF EXPENSES

(Note: The caption of this form has been changed to indicate "Chapter 13" on the top right of the form. The form of the Application itself will remain unchanged).